

SENATE RECORD VOTE ANALYSIS

106th Congress
1st Session

Vote No. 216

July 21, 1999, 5:05 p.m.
Page S-8930 Temp. Record

INTELLIGENCE AUTHORIZATION/DoE Structural Reforms (Nuclear Security)

SUBJECT: Intelligence Authorization Act for fiscal year 2000 . . . S. 1009. Kyl amendment No. 1258, as amended.

ACTION: AMENDMENT AGREED TO, 96-1

SYNOPSIS: As amended, S. 1009, the Intelligence Authorization Act for fiscal year 2000, will authorize appropriations and personnel ceilings for fiscal year (FY) 2000 United States intelligence activities and programs. The bill includes provisions regarding security at Energy Department laboratories (recent reports show that China has been able to steal virtually all of the United States' nuclear weapon and missile technology secrets from those laboratories). Details include the following:

- a moratorium will be placed on the Foreign Visitors Program at certain national security facilities during which time an assessment will be made of the overall efficacy of that program;
- background checks will be required for all foreign visitors to the national laboratories; and
- funding will be provided for the DoE to install computer intrusion detection devices and to monitor "e-mail" (electronic mail) at virtually all of its facilities.

NOTE: The bill was subsequently adopted by voice vote.

The Kyl/Domenici/Murkowski amendment, as amended, would create the Agency for Nuclear Stewardship (ANS) as a semi-autonomous agency within the Department of Energy (DoE). The amendment would closely track the Kyl/Domenici/Murkowski amendment that was offered to the Defense Authorization Bill earlier this year (that amendment was withdrawn due to a Democratic filibuster). Modifications would be made to the amendment to make it conform to a similar reorganization proposal (as contained in the Rudman Report) by the President's Foreign Intelligence Advisory Board (PFIAB) that was appointed to examine this issue. The Secretary of Energy would be responsible for all policies of the ANS. The Director of the ANS would be an undersecretary of the DoE. The Administrator would be directly accountable to the Secretary of Energy. The Secretary could not delegate to any DoE official the duty to supervise or direct the ANS Director. The ANS Director would have direct authority and responsibility for DOE national security functions and all activities at the national laboratories and nuclear weapons facilities. The ANS Director would have direct authority and responsibility for all executive and administrative functions of the ANS. Three Deputy Directors (for defense

(See other side)

YEAS (96)				NAYS (1)		NOT VOTING (3)	
Republican (53 or 100%)		Democrats (43 or 98%)		Republicans (0 or 0%)	Democrats (1 or 2%)	Republicans (2)	Democrats (1)
Abraham	Helms	Akaka	Johnson		Wyden	Jeffords ⁻²	Kennedy ⁻²
Allard	Hutchinson	Baucus	Kerrey			McCain ⁻²	
Ashcroft	Hutchison	Bayh	Kerry				
Bennett	Inhofe	Biden	Kohl				
Bond	Kyl	Bingaman	Landrieu				
Brownback	Lott	Boxer	Lautenberg				
Bunning	Lugar	Breaux	Leahy				
Burns	Mack	Bryan	Levin				
Campbell	McConnell	Byrd	Lieberman				
Chafee	Murkowski	Cleland	Lincoln				
Cochran	Nickles	Conrad	Mikulski				
Collins	Roberts	Daschle	Moynihan				
Coverdell	Roth	Dodd	Murray				
Craig	Santorum	Dorgan	Reed				
Crapo	Sessions	Durbin	Reid				
DeWine	Shelby	Edwards	Robb				
Domenici	Smith, Bob (I)	Feingold	Rockefeller				
Enzi	Smith, Gordon	Feinstein	Sarbanes				
Fitzgerald	Snowe	Graham	Schumer				
Frist	Specter	Harkin	Torricelli				
Gorton	Stevens	Hollings	Wellstone				
Gramm	Thomas	Inouye					
Grams	Thompson						
Grassley	Thurmond						
Gregg	Voinovich						
Hagel	Warner						
Hatch							

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

programs, nonproliferation and fissile disposition, and naval reactors) would be appointed. The Deputy Director for Naval Reactors would have direct access to the Secretary and other senior DoE officials. The Directors of the 3 national laboratories and each nuclear weapons facility would report to the Deputy Director for Defense Programs. Three offices would be created within the ANS (intelligence, counterintelligence, and security) the chiefs of which would have direct access to the Secretary. The Administrator would be required to fully inform the President and Congress of any threat to or loss of national security information. The Administrator also would be required to report annually to Congress on the adequacy of DoE procedures and policies for protecting national security information and on whether each DoE laboratory was in full compliance with all DoE security requirements. Each laboratory director would be required to certify, annually and in writing, whether the laboratory was in full compliance with all departmental national security information protection requirements. No one in the Administration would be allowed to interfere with any of the reporting requirements of this amendment. As amended, the amendment: would make clear that the lines of authority